



**PRESENT:**

Mr. Russell J. Gulley, Chairman  
Mr. Reuben J. Waller, Jr., Vice-Chairman  
Dr. William P. Brown  
Mr. J. Dale Patton  
Dr. Edgar V. Wallin  
Mr. Kirk Turner, Secretary

**ALSO PRESENT:**

Mr. Michael Tompkins, Assistant Director of Planning  
Planning Department  
Mr. Rob Robinson, Senior Assistant County Attorney,  
County Attorney's Office  
Ms. Tara McGee, Senior Assistant County Attorney,  
County Attorney's Office  
Ms. Stacy Taffer, Planning Operations Manager  
Planning Department  
Ms. Jane Peterson, Planning Manager,  
Planning Department  
Ms. Darla Orr, Planning and Special Projects Manager,  
Planning Department  
Mr. Ryan Ramsey, Planning Special Projects Manager,  
Planning Department  
Ms. Teresa C. Davis, Planning and Special Projects Coordinator,  
Planning Department  
Mr. Jesse Smith, Director,  
Transportation Department  
Mr. Steven Adams, Senior Civil Engineer  
Transportation Department  
Mr. Mike Nannery, Assistant Director  
Utilities  
Mr. Scott Smedley, Director,  
Environmental Engineering Department  
Mr. Scott Dunn, Assistant Director  
Environmental Engineering Department  
Mr. Dave Wolverton, Microcomputer Analyst  
Information Systems Technology Department  
Deputy Fire Marshall Anthony Batten, Fire and Life Safety,

Fire and EMS Department  
Mr. Ray Cash, Zoning Administrator  
Planning Department  
Ms. Heather Capel, Senior Planning Operations Specialist  
Planning Department

## **ASSEMBLY AND WORK SESSION.**

Messrs. Gulley, Waller, Brown, Patton and Wallin and staff assembled at 4:00 p.m. in the Public Meeting Room, Chesterfield County Administration Building, 10001 Iron Bridge Road Chesterfield, VA, for a work session.

### **I. CALL TO ORDER.**

Mr. Gulley called the meeting to order.

### **II. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS, CHANGES IN THE ORDER OF PRESENTATION.**

Mr. Turner requested to add 16PJ0110 initiation of zoning application on Temie Lee Parkway and to add setting the January 2016 meeting date to be consistent with the by-laws.

Mr. Gulley stated the zoning application, 16PJ0110 will be item number VII and the meeting date will be item number VIII, Update on Capital Construction will be item IX and Recess will be item X.

On motion of Dr. Wallin, seconded by Mr. Gulley, the Commission on their own motion, resolved to amend the order of the agenda as stated.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

### **III. REVIEW UPCOMING AGENDAS.**

Ms. Jane Peterson apprised the Commission of the caseload agendas for January, February, March and April.

### **IV. REVIEW DAY'S AGENDA.**

Ms. Jane Peterson provided an overview to the Commission on the six (6) cases for today's agenda.

### **V. WORK PROGRAM - REVIEW AND UPDATE.**

There were no questions relative to the Work Program.

### **VI. REVIEW PLANNING COMMISSION FOLLOW-UP ITEMS LIST.**

There were no questions relative to the Follow-Up Items List.

**VII. INITIATION OF ZONING CASE FOR TEMIE LEE PARKWAY (16PJ0110).**

Mr. Kirk Turner stated the owner of this lot is hoping the cash proffer will be set to be consistent with the action the Board has taken on an adjacent case.

On motion of Mr. Gulley, seconded by Mr. Patton, the Commission, on its own motion, initiated an application for an amendment of zoning Case 06SN0174 at 6701 Temie Lee Parkway and this includes waiving the zoning disclosure.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

**VIII. MEETING DATE SET BY SECRETARY.**

In a year that follows an election, the by-laws state the secretary will set the first meeting date. Therefore, Mr. Turner announced that the Commission will meet on January 19, 2016 at 3:00 p.m. in the Public Meeting Room.

**IX. UPDATE ON CAPITAL CONSTRUCTION GOALS & ACCOUNTABILITY COMMITTEE.**

Dr. Wallin stated the committee met yesterday and it was a positive meeting. The committee recommended by vote that the County move forward with the schedule that was presented. The new COO presented a proposed step by step plan to determine the site location to the final construction.

Mr. Waller concurred that the meeting was positive. In January, there will be a more detailed spreadsheet with more specificity about timelines and how this program will be funded. The meeting date is set for Wednesday, January 20, 2016 at 1:00 p.m. in room 502.

**X. RECESS.**

There being no further business to discuss, the Commission recessed the Afternoon Session at approximately 4:30 p.m., agreeing to meet in room 502 – Lane B. Ramsey Administration Building at 5:00 p.m., for dinner; and to reconvene in the Public Meeting Room at 6:00 p.m. for the public meeting.

**5:00 P.M. DINNER - EXECUTIVE MEETING ROOM.**

During dinner, there was general discussion on topics related to the Planning Commission.

**6:00 P.M. PUBLIC HEARING.**

**I. CALL TO ORDER.**

Mr. Gulley called the session to order.

**II. INVOCATION.**

Mr. Patton presented the invocation.

### **III. PLEDGE OF ALLEGIANCE TO THE FLAG OF UNITED STATES OF AMERICA.**

The Commission led in the Pledge of Allegiance to the Flag.

### **IV. SERVICE RECOGNITION.**

Mr. Gulley acknowledged Mr. Patton's years of service to Chesterfield County.

On motion of Mr. Gulley, seconded by Dr. Wallin, the Commission adopted the following resolution:

#### **RECOGNIZING MR. JAMES DALE PATTON BERMUDA DISTRICT PLANNING COMMISSIONER FOR HIS SERVICE**

**WHEREAS**, Mr. James Dale Patton, Planning Commissioner representing the Bermuda Magisterial District, was appointed to the Chesterfield County Planning Commission in 2012 by the Honorable Dorothy Jaekle, and served as Vice Chair of the Planning Commission in 2014 and has given freely of his time and commitment; and

**WHEREAS**, the citizens of his district and Chesterfield County have benefitted from the leadership displayed by Commissioner Patton in the review of 108 zoning cases within the Bermuda District resulting in quality communities and enhanced economic development opportunities, some of which include the continued development of Meadowville Technology Park; Chester Village; Dominion Power; Phillip Morris USA's ground solar facility, the largest such facility at the time; and numerous small business ventures; and

**WHEREAS**, Mr. Patton has demonstrated leadership in community reinvestment efforts as evidenced in his guidance for cases along the Jefferson Davis Corridor such as Colony Village, Bermuda Crossroads, and Ashton Creek Vineyard; and

**WHEREAS**, Mr. Patton's leadership led to a number of new and enhanced public facilities, most notably Point of Rocks Special Purpose Park, site of a Civil War hospital where Red Cross founder Clara Barton served as nurse superintendent; expansion of park facilities such as Howlett Line, Drewry's Bluff and Falling Creek; and improvements to Enon Volunteer Fire Station; and

**WHEREAS**, Mr. Patton worked diligently with fellow commissioners, citizens and staff toward adoption of "Moving Forward...the Comprehensive Plan for Chesterfield County," the first countywide comprehensive plan since June 1977; "Ettrick/VSU Special Area Plan;" "Bon Air Special Area Plan;" and the Bike and Trails Chapter of the comprehensive plan; and

**WHEREAS**, Mr. Patton participated in the review and recommendation of a reformatted, user friendly update of the county zoning ordinance, "Zoning Ordinance for Chesterfield County...Implementation Tool for Moving Forward...the Comprehensive Plan for Chesterfield County," the first major rewrite of the ordinance since 1945; and worked diligently with fellow commissioners toward the adoption of numerous ordinance amendments including Ettrick Special Design District, Technology Zones, Wind Energy Systems, Chicken Keeping, and New Subdivision and Sign Ordinances; and

**WHEREAS**, Mr. Patton worked diligently with fellow commissioners to produce effective policies and guidelines for cell towers and day care facilities; and

**WHEREAS**, Mr. Patton regularly engaged in community dialogue to resolve many citizen and neighborhood concerns; and

**WHEREAS**, Mr. Patton continued his personal commitment to make Chesterfield County a better place for all citizens, today and in the future.

**THEREFORE, BE IT RESOLVED** that, the **CHESTERFIELD COUNTY PLANNING COMMISSION**, on this 15th DAY OF DECEMBER 2015, does hereby recognize and applaud the conscientious efforts and commitment to excellence displayed by **MR. JAMES DALE PATTON** and expresses its appreciation for his years of public service to Chesterfield County.

**AND, BE IT FURTHER RESOLVED** that a copy of this resolution be presented to Mr. Patton and that this resolution be permanently recorded among the papers of the Planning Commission of Chesterfield County, Virginia.

AYES: Messrs. Gulley, Waller, Brown, and Wallin.

Mr. Gulley acknowledged Dr. Brown's years of service to Chesterfield County.

On motion of Mr. Gulley, seconded by Dr. Wallin, the Commission adopted the following resolution:

**RECOGNIZING  
DR. WILLIAM P. BROWN  
DALE DISTRICT PLANNING COMMISSIONER  
FOR HIS SERVICE**

**WHEREAS**, Dr. William P. Brown, Planning Commissioner representing the Dale Magisterial District, was first appointed to the Chesterfield County Planning Commission in 2008 by the Honorable James Holland, and served as Chair of the Planning Commission during 2010 and 2013, and Vice Chair during 2009 and 2011, and has given freely of his time and commitment; and

**WHEREAS**, the citizens of his district and Chesterfield County have benefitted from the leadership displayed by Commissioner Brown in the review of 116 zoning cases within the Dale District resulting in quality communities and enhanced economic development opportunities, some of which include Millers Run; Collegiate School Aquatics Center and Richmond Kickers Soccer Complex; Church of the Nazarene; commercial developments at key intersections along the Route 10 Corridor; and numerous small business ventures; and

**WHEREAS**, Dr. Brown has demonstrated leadership in community reinvestment efforts as evidenced in his guidance for cases in the Meadowbrook Community to include redevelopment of Meadowbrook Shopping Center; rebuilding of the McDonalds; and building of Waffle House Restaurant; and

**WHEREAS**, Dr. Brown's leadership led to a number of new and enhanced public facilities, most notably the Falling Creek Park Expansion, Branch's Bluff Special Purpose Park, Lucy Corr Group Care Facility and Police Public Safety Building; and

**WHEREAS**, Dr. Brown worked diligently with fellow commissioners, citizens and staff toward the adoption of "Moving Forward...the Comprehensive Plan for Chesterfield County," the first countywide comprehensive plan since June 1977; the "Ettrick/VSU Special Area Plan;" "Bon Air Special Area Plan;" and the Bike and Trails Chapter of the comprehensive plan; and

**WHEREAS**, Dr. Brown participated in the review and recommendation of a reformatted, user friendly update of the county zoning ordinance, "Zoning Ordinance for Chesterfield County...Implementation Tool for Moving Forward...the Comprehensive Plan for Chesterfield County," the first major rewrite of the ordinance since 1945; and worked diligently with fellow commissioners toward the adoption of several ordinance amendments including Ettrick Special

Design District, Wind Energy Systems, Chicken Keeping, Upper Swift Creek Design, Water Quality, Columbarium, Accessory Building Regulations, and New Subdivision and Sign Ordinances; and

**WHEREAS**, Dr. Brown worked diligently with fellow commissioners to produce effective policies and guidelines for cell towers, signs and day care facilities; and

**WHEREAS**, Dr. Brown regularly engaged in community dialogue to resolve many citizen and neighborhood concerns; and

**WHEREAS**, Dr. Brown continued his personal commitment to make Chesterfield County a better place for all citizens, today and in the future.

**THEREFORE, BE IT RESOLVED that, the CHESTERFIELD COUNTY PLANNING COMMISSION, on this 15th DAY OF DECEMBER 2015, does hereby recognize and applaud the conscientious efforts and commitment to excellence displayed by DR. WILLIAM P. BROWN and expresses its appreciation for his years of public service to Chesterfield County.**

**AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. Brown and that this resolution be permanently recorded among the papers of the Planning Commission of Chesterfield County, Virginia.**

AYES: Messrs. Gulley, Waller, Patton and Wallin.

Mr. Gulley acknowledged Mr. Waller's years of service to Chesterfield County.

On motion of Mr. Gulley, seconded by Mr. Patton, the Commission adopted the following resolution:

**RECOGNIZING  
MR. REUBEN J. WALLER, VICE-CHAIR  
MIDLOTHIAN DISTRICT PLANNING COMMISSIONER  
FOR HIS SERVICE**

**WHEREAS**, Mr. Reuben J. Waller, Planning Commissioner representing the Midlothian Magisterial District, was first appointed to the Chesterfield County Planning Commission in 2008 by the Honorable Daniel Gecker, and served as Vice Chair of the Planning Commission during 2012 and 2015, and has given freely of his time and commitment; and

**WHEREAS**, the citizens of his district and Chesterfield County have benefitted from the leadership displayed by Commissioner Waller in the review of 127 zoning cases within the Midlothian District resulting in quality communities and enhanced economic development opportunities, some of which include Hallsley, Stonehenge Village, Woodlands, Roseland, Midlothian Village commercial areas such as the Farmer's Market at the Grove, American Family Fitness, Bon Secours, and numerous small business ventures; and

**WHEREAS**, Mr. Waller has demonstrated leadership in community reinvestment efforts as evidenced in his guidance for cases such as Stonebridge, the county's first major revitalization effort as the redevelopment of Cloverleaf Mall into a mixed use community; Spring Rock Green; and the Bon Air GRTC Park and Ride; and

**WHEREAS**, Mr. Waller's leadership led to a number of enhanced public facilities such as ensuring completion of North Otterdale Road with the St. Ives zoning case; Huguenot Park Expansion, Robious and Ruthers Roads Water Tanks; Watkins Annex Neighborhood Park; and

Mid-Lothian Mines Park expansion, an area where coal was first commercially mined in America; and

**WHEREAS**, Mr. Waller worked diligently with fellow commissioners, citizens and staff toward the adoption of "Moving Forward...the Comprehensive Plan for Chesterfield County," the first countywide comprehensive plan since June 1977; the "Ettrick/VSU Special Area Plan;" "Bon Air Special Area Plan;" and the Bike and Trails Chapter of the comprehensive plan; and

**WHEREAS**, Mr. Waller participated in the review and recommendation of a reformatted, user friendly update of the county zoning ordinance, "Zoning Ordinance for Chesterfield County...Implementation Tool for Moving Forward...the Comprehensive Plan for Chesterfield County," the first major rewrite of the ordinance since 1945; and worked diligently with fellow commissioners toward the adoption of numerous ordinance amendments including *Ettrick Special Design District, Wind Energy Systems, Upper Swift Creek Design, Water Quality, Columbarium, Accessory Building Standards, Chicken Keeping and New Subdivision and Sign Ordinances*; and

**WHEREAS**, Mr. Waller worked diligently with fellow commissioners, citizens and staff to produce effective policies and guidelines for cell towers, signs and day care facilities; and

**WHEREAS**, Mr. Waller regularly engaged in community dialogue to resolve many citizen and neighborhood concerns; and

**WHEREAS**, Mr. Waller continued his personal commitment to make Chesterfield County a better place for all citizens, today and in the future.

**THEREFORE, BE IT RESOLVED** that, the **CHESTERFIELD COUNTY PLANNING COMMISSION**, on this 15th DAY OF DECEMBER 2015, does hereby recognize and applaud the conscientious efforts and commitment to excellence displayed by, **MR. REUBEN J. WALLER** and expresses its appreciation for his years of public service to Chesterfield County and our community.

**AND, BE IT FURTHER RESOLVED** that a copy of this resolution be presented to Mr. Waller and that this resolution be permanently recorded among the papers of the Planning Commission of Chesterfield County, Virginia.

AYES: Messrs. Gulley, Brown, Patton and Wallin.

Mr. Kirk Turner acknowledged Mr. Gulley's years of service to Chesterfield County.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission adopted the following resolution:

**RECOGNIZING  
MR. RUSSELL J. GULLEY, CHAIRMAN  
CLOVER HILL DISTRICT PLANNING COMMISSIONER  
FOR HIS SERVICE**

**WHEREAS**, Mr. Russell J. Gulley, Planning Commissioner representing the Clover Hill Magisterial District, was first appointed in January, 1992 to the Chesterfield County Planning Commission by the Honorable Arthur Warren after tirelessly representing many civic groups along the Courthouse Road Corridor; and

**WHEREAS**, Mr. Gulley has the longest tenure of any Chesterfield County Planning Commissioner representing a magisterial district; and

**WHEREAS**, Mr. Gulley served as Chair of the Commission seven times, the greatest number of times of any Commissioner; and

**WHEREAS**, Mr. Gulley served as Chairman of the Chesterfield County Planning Commission in 2015; and

**WHEREAS**, Mr. Gulley worked tirelessly to improve and enhance the bylaws and operating procedures of the Planning Commission, ensuring that all voices be considered in decision making; and

**WHEREAS**, Mr. Gulley championed the practice of conducting community meetings to discuss zoning cases, ensuring that concerns are addressed prior to formal public hearings, resulting in efficient meetings and a streamlined zoning process; and

**WHEREAS**, Mr. Gulley provided leadership and guided the Commission through the review and recommendation of "Moving Forward...the Comprehensive Plan for Chesterfield County," the first countywide comprehensive plan since June 1977; and

**WHEREAS**, Mr. Gulley's knowledge and experience was instrumental in guiding the Commission through the review and recommendation of a reformatted, user friendly update of the county zoning ordinance, "Zoning Ordinance for Chesterfield County...Implementation Tool for Moving Forward...the Comprehensive Plan for Chesterfield County," the first major rewrite of the ordinance since 1945; and

**WHEREAS**, Mr. Gulley actively participated and provided invaluable input in the review and recommendation of numerous special area plans, including the "Eastern Route 360 Corridor Plan," "Route 288 Corridor Plan," "Northern Courthouse Road Community Plan," "Eastern Midlothian Plan," "Riverfront Plan," "Southern and Western Area Plan," "Northern Jefferson Davis Corridor Plan," "Ettrick/VSU Special Area Plan," "Bon Air Special Area Plan," and "Bike and Trails Chapter", all of which provide guidance for building a quality community; and

**WHEREAS**, Mr. Gulley championed the development of a multitude of new and improved public facilities thereby increasing public safety, citizen accessibility, and educational and recreational opportunities, to include the Courthouse Road Fire Station, Reams-Gordon Library, Clover Hill High School and Clover Hill Athletic Complex; and

**WHEREAS**, Mr. Gulley directed efforts to develop a multitude of zoning and subdivision code amendments which will continue to shape the county's built environment, thereby ensuring the highest quality of life for county citizens; and

**WHEREAS**, Mr. Gulley participated in more than 3,000 zoning, site plan, subdivision plan and ordinance amendment public hearings and meetings; and

**WHEREAS**, Mr. Gulley directed the development of numerous policies and guidelines, including those related to cell towers, signs and day care facilities; and

**WHEREAS**, Mr. Gulley consistently sought to arrive at decisions to protect and preserve neighborhoods directly affected by a development proposal while at the same time being cognizant of the development community and their role in the betterment of the county; and

**WHEREAS**, with Mr. Gulley's leadership and guidance, numerous economic development projects were reviewed and recommended by the Commission, too numerous to mention, but include the Watkins Centre and Meadowville Technology Park; and

**WHEREAS**, Mr. Gulley actively participated in the county's first major revitalization effort, the redevelopment of Cloverleaf Mall into a mixed use community, now known as Stonebridge, resulting in



significant new investment along the Eastern Midlothian Turnpike Corridor and significantly enhancing a major county gateway; and

**WHEREAS**, Mr. Gulley championed significant water quality standards and programs to preserve the water quality of Swift Creek Reservoir thereby ensuring protection of a major public water source, and promoted adoption of Chesapeake Bay Preservation Standards and numerous other water quality standards; and

**WHEREAS**, Mr. Gulley represented Chesterfield County on numerous boards and committees, including the Richmond Regional Planning District Commission; and

**WHEREAS**, Mr. Gulley is retiring from the Commission after 24 years of continuous service, and has given freely of his time and commitment; and

**WHEREAS**, Mr. Gulley throughout his tenure promoted fair and open access for all citizens and is recognized for his astute judgement and integrity.

**THEREFORE, BE IT RESOLVED** that, the **CHESTERFIELD COUNTY PLANNING COMMISSION**, on this 15th DAY OF DECEMBER 2015, does hereby recognize and applaud the conscientious efforts and commitment to excellence displayed by **MR. RUSSELL J. GULLEY** upon his retirement from the Commission, and expresses its appreciation for his years of public service to the Chesterfield County community, the Richmond region, and our country.

**AND, BE IT FURTHER RESOLVED** that a copy of this resolution be presented to Mr. Gulley and that this resolution be permanently recorded among the papers of the Planning Commission of Chesterfield County, Virginia.

AYES: Messrs. Waller, Brown, Patton and Wallin.

Many past Planning Commissioners came forward to extend well wishes for Mr. Gulley.

**V. REVIEW UPCOMING AGENDAS.**

Mr. Kirk Turner apprised the Commission of the caseload agendas for January, February, March and April.

**VI. APPROVAL OF THE PLANNING COMMISSION MINUTES.**

- September 15, 2015 Minutes

On motion of Dr. Wallin, seconded by Mr. Patton, the Commission resolved to approve the September 15, 2015 Planning Commission minutes.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- October 20, 2015 Minutes

On motion of Dr. Wallin, seconded by Mr. Patton, the Commission resolved to approve the October 20, 2015 Planning Commission minutes.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

**VII. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER OF PRESENTATION.**

There were no requests to postpone action, emergency additions or changes in the order of presentation.

**VIII. REVIEW MEETING PROCEDURES.**


Mr. Kirk Turner reviewed the meeting procedures.

**IX. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.**

There were no citizens' comments on unscheduled matters.

**X. PUBLIC HEARING.**

- **DEFERRAL REQUESTS BY APPLICANT – CONDITIONAL USE.**

- A. 15SN0647\*\*\*:** In Bermuda Magisterial District, **Virginia Electric and Power Company d/b/a Dominion Virginia Power** requests amendment of conditional use (Case 10SN0114) relative to uses, construction, operation, buffering and public facilities impacts of a management facility for fossil fuel combustion products in a Heavy Industrial (I-3) District on 842.1 acres fronting the north, south and east lines of Coxendale and Old Stage Roads. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Industrial use. Tax IDs 802-665-4390; 805-662-7764; 805-666-2525; 806-662-8465; 806-664-8063; 807-660-1776; and 811-660-3332. 

Mr. Brennan Keene, the applicant's representative, requested a sixty (60) day deferral to the regularly scheduled February 2016 meeting.

Mr. Bob Olsen stated he supports deferral of this case. He hopes that Planning staff will take the lead in looking at the health issues of fly ash and the impacts these toxins have on citizens.

Dr. Thomas Pakurar supports the deferral of this case. The standards in the State Code do not protect the public health of citizens and the contaminant limits allowable are too high.

Ms. Judy Stoneman, voiced concerns about past history with the dump and contaminated well water causing illness with those that were limited to well water usage.

No one else came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Patton, seconded by Dr. Brown, the Commission resolved to defer Case 15SN0647 to the regularly scheduled February 2016 Planning Commission public hearing.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- **DEFERRAL REQUESTS BY INDIVIDUAL PLANNING COMMISSIONER – REZONING AND CONDITIONAL USE PLANNED DEVELOPMENT.**

- C. **16SN0558:** In Matoaca Magisterial District, **Atlantic Development and Acquisition, L.C.** requests rezoning from Agricultural (A) to Multifamily (R-MF) plus conditional use planned development to permit exceptions to ordinance requirements and amendment of zoning district map on 20 acres located in the southeast quadrant of Ashlake and Ashbrook Parkways, also fronting 60 feet on the west line of Bethia Road, 995 feet southwest of Winterpock Road. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential I use (maximum of 2.0 dwellings per acre). Tax IDs 720-668-8155 and 720-669-Part of 8248.

Mr. James Theobald, the applicant's representative, accepted deferral of Case 16SN0558 by Dr. Wallin to the regularly scheduled February 2016 Planning Commission meeting.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Dr. Wallin, seconded by Mr. Patton, the Commission resolved to defer Case 16SN0558 to the regularly scheduled February 2016 Planning Commission public hearing.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- **CONSENT ITEMS – REZONINGS AND CONDITIONAL USE PLANNED DEVELOPMENT.**

- B. **16SN0517\*\*\*:** In Clover Hill Magisterial District, **Scale Development LLC** requests amendment of zoning (Case 06SN0141) to reduce cash proffers and amendment of zoning district map in a Residential (R-12) District on 23.3 acres fronting the northern terminus of South Twilight Lane, 620 feet north of Spruce Pine Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Suburban Residential II use (2.0 to 4.0 dwellings per acre). Tax ID 758-696-3777.

Mr. Andy Scherzer, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

Mr. Waller stated he felt this case was an example of where it may be appropriate to incentivize quality development within a revitalization area. He noted that a comprehensive strategy in revitalization areas has been needed since the adoption of the Plan. He added that Planning, Budget and revitalization efforts should be coordinated in consideration of cases within revitalization areas.

Mr. Patton stated he agreed with Mr. Waller and he is interested in a template to use in consideration of cases within the Jefferson Davis Highway Corridor area.

Mr. Gulley suggested that flexibility be given so applicants can make projects work in these areas.

On motion of Mr. Gulley, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 16SN0517 and acceptance of the following proffered conditions:

### PROFFERED CONDITIONS

With the approval of this request, Proffered Condition 2 of Case 06SN0141 shall be amended as outlined below. All other conditions of Case 06SN0141 shall remain in force and effect

(STAFF/CPC) Cash Proffer. For each dwelling unit, the applicant, sub-divider, or assignee(s) shall pay the following to the County of Chesterfield, prior to the issuance of a building permit for infrastructure improvements within the cash proffer service district for the property, unless state law prevents enforcement of that timing:

- a) \$18,966 per dwelling unit for the period beginning the July 1 preceding the Board of Supervisors' approval of the case through July 1 four years later, at which point the amount will be adjusted for the cumulate change in the Marshall and Swift Building Cost index during that time period.
- b) Thereafter, the per dwelling unit cash proffer amount shall be automatically adjusted, annually, by the annual change in the Marshall and Swift Building Cost Index on July 1 of each year.
- c) Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law.
- d) Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees in a manner determined by the County. (B)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- D. **16SN0561:** In Midlothian Magisterial District, **McGeorge Financial 12200 LLC** requests conditional use planned development to permit exceptions to ordinance requirements relative to signage and amendment of zoning district map in a Community Business (C-3) District on 4 acres known as 12200 Midlothian Turnpike. Density will be controlled by zoning conditions or Ordinance

standards. The Comprehensive Plan suggests the property is appropriate for Suburban Commercial District use. Tax ID 736-708-9553.

Mr. Bill Akers, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 16SN0561 and acceptance of the following proffered conditions:

PROFFERED CONDITIONS

1. The Textual Statement, dated November 9, 2015, shall be considered the Master Plan for the sign exceptions. (P)
2. The sign background color shall be incorporated into the front facade building elements (such as the columns and/or architectural door frame) of the existing building, as generally shown on Exhibit A. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- F. **16SN0567\*\*\***: In Bermuda Magisterial District, **Chesterfield County Board of Supervisors** request amendment of zoning (Case 13SN0520) relative to modification of in-kind improvements to permit a cash proffer payment and amendment of zoning district map in a Community Business (C-3) District on 0.6 acres located in the southwest corner of Fountain Square Plaza and Chester Village Drive. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Neighborhood Mixed use. Tax IDs 788-655-8553, 8854 and 9964.

Mr. Kirkland Turner, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

No one came forward to speak in favor of, or in opposition to, the request.

There being no one to speak, Mr. Gulley closed the public hearing.

On motion of Mr. Patton, seconded by Dr. Wallin, the Commission resolved to recommend approval of Case 16SN0567 and acceptance of the following proffered condition:

PROFFERED CONDITION

The Applicant hereby amends Condition D of Case 13SN0520 to read as follows:

At the County's option, the Applicant, sub-divider, or assignee(s) shall provide one of either A. or B. as described below:

- A. Cash Proffers. The applicant, sub-divider, or assignee(s) shall pay \$201,600 to the County of Chesterfield, upon issuance of a certificate of occupancy for any dwelling unit on the subject property. The payment shall be used for parking lot improvements to serve the Chester Library.

Or,

- B. In-Kind-Improvements. The Applicant shall provide parking lot improvements, acceptable to the County, to serve the Chester Library (the "Improvements"). For the purposes of this proffer, the improvements shall include all work necessary to complete at least 40 parking spaces of the 70 space parking lot shown on Exhibit A, dated July 26, 2013, attached hereto. The Improvements shall include, but not be limited to, engineering, relocating utilities and construction (including labor, materials, and overhead). Should the cost of the initial 40 spaces be less than \$201,600, the developer shall continue to construct additional parking spaces until funds expended total \$201,600. The Improvements shall be completed upon issuance of a certificate of occupancy for any dwelling unit on the subject property. Construction bids for the Improvements shall be reviewed and accepted by the County prior to the issuance of a Land Disturbance Permit for said Improvements. (B & M)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

- **CONDITIONAL USE- - OTHER.**

- E. **16SN0566:** In Midlothian Magisterial District, **Chippenham & Johnston-Willis Hospital – Ann Neil Cosby** requests conditional use to permit a helipad accessory to a hospital and amendment of zoning district map in Agricultural (A) and Community Business (C-3) Districts on 30 acres located in the southeast corner of Early Settlers Road and Johnston Willis Drive; also located in the northeast quadrant of Johnston Willis Drive and Midlothian Turnpike. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for Regional Mixed use. Tax ID 745-710-3080.

Ms. Jane Peterson presented an overview and staff's recommendation for approval as the use is accessory to a permitted hospital use and conditions minimize adverse impacts upon neighboring properties.

Mr. Brennan Keene, the applicant's representative, accepted staff's recommendation.

Mr. Gulley opened the floor for public comment.

Mr. Randall Gleason, a nearby resident to the hospital voiced concern over potential noise from the helipad and its visibility.

No one else came forward to speak in favor of, or in opposition to, the request.

There being no one else to speak, Mr. Gulley closed the public hearing.

In response to a question of Mr. Gulley, the applicant reviewed proposed safety measures for helicopter landings and departures; and noted the applicant was working with Mr. Gleason to address offsite buffer requirements.

Mr. Waller noted the important community service provided with the proposal; and given the anticipated number of flights, the amended flight pattern, and the applicant's commitment to resolving the offsite buffer, he did not see an increased impact on area residential uses.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 16SN0566 and acceptance of the following proffered conditions:

#### PROFFERED CONDITIONS

The Owners (the "Owners") in this zoning case, pursuant to §15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Number 745-710-3080 (the "Property") under consideration will be developed according to the following conditions if, and only if, the application request for conditional use in an A Agricultural district is granted.

Exhibit A – Plan titled "Flight Path and Helipad Location," prepared by Draper Aden Associates, dated 9/11/15.

1. Uses. The helipad shall be permitted only as an accessory use to the hospital. (P)
2. Location. The location of the helipad shall be as generally shown on Exhibit A. (P)

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

#### **XI. OTHER BUSINESS.**

There was no other business discussed.

#### **XII. CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS INVOLVING THE SERVICES, POLICIES AND AFFAIRS OF THE COUNTY GOVERNMENT REGARDING PLANNING OR LAND USE ISSUES.**

There were no citizen comments on unscheduled matters.

**XIII. ADJOURNMENT.**

There being no further business to come before the Commission, it was on motion of Dr. Brown, seconded by Mr. Waller that the meeting adjourned at 8:33 p.m. to Tuesday, January 19, 2016 at 3:00 p.m., in the Public Meeting Room, 10001 Iron Bridge Road, Chesterfield, Virginia.

AYES: Messrs. Gulley, Waller, Brown, Patton and Wallin.

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Chairman/Date

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Secretary/Date